

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	Case No. 3:99cr00086
vs.	:	District Judge Walter Herbert Rice
		Magistrate Judge Sharon L. Ovington
JACK CLARK,	:	
Defendant.	:	

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JACK CLARK,	:	
Petitioner,	:	Case No. 3:10cv00261
vs.	:	District Judge Walter Herbert Rice
		Magistrate Judge Sharon L. Ovington
UNITED STATES OF AMERICA,	:	
Respondent.	:	

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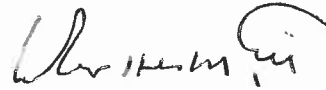
**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON SEPTEMBER 9, 2010 (Doc. #1179); DISMISSING WITHOUT PREJUDICE AS VOLUNTARILY WITHDRAWN DEFENDANT/PETITIONER'S MOTION FOR RESENTENCING (Doc. #1171); DENYING DEFENDANT/PETITIONER'S MOTION FOR APPOINTMENT OF COUNSEL (Doc. #1171); DENYING AS MOOT DEFENDANT/PETITIONER'S MOTION FOR DISCOVERY (Doc. #1175); AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

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The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #1179), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been

filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on September 9, 2010 (Doc. #1179) is **ADOPTED** in full;
2. Defendant/Petitioner Jack Clark's motion for resentencing (Doc. #1171) is **DISMISSED** without prejudice as voluntarily withdrawn;
3. Defendant/Petitioner's motion for appointment of counsel (Doc. #1171) is **DENIED**;
4. Defendant/Petitioner's motion for discovery (Doc. #1175) is **DENIED** as moot; and
5. The case is terminated on the docket of this Court.



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Walter Herbert Rice  
United States District Judge